BILL NO. Z-75-12-13

ZONING MAP ORDINANCE NO. ~~CZ~~ Lost

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA-8

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by Gneral Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA-8, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

> The South 30 feet of Lot # 197 and the north 30 ft. of Lot 198 in Fairfield Terrace, Section "A" as recorded in Plat Book # 11, pages 54-55 in the Office of the Recorder of Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

APPROVED AS TO FORM
AND LEGALITY,
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice~~, ~~at the Council Chambers~~, City-County Building, Fort Wayne, Indiana, on_________, ~~the________day of _____________________, 197____, at ____________~~ ~~o'clock P.M.,E.S.T.~~

Date: 12-9-75 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. ~~Passed~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	0	9			
BURNS		X			
HINGA		X			
HUNTER. ~~KRAUS~~		X			
MOSES		X			
NUCKOLS		X			
SCHMIDT, D.		X			
SCHMIDT, V.		X			
STIER		X			
TALARICO		X			

DATE: 3-9-76 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No.____________ on the _________ day of ________________, 197___.

ATTEST: (SEAL)

____
CITY CLERK

____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of ______________________, 197____, at the hour of _______ o'clock _________M.,E.S.T.

____
CITY CLERK

Approved and signed by me this _________ day of __________________, 197___, at the hour of ___________ o'clock__________M.,E.S.T.

____
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 9, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-12-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 9, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 23, 1976.

Certified and signed this
1st day of March, 1976.

Joseph N. Adair

Joseph N. Adair
Secretary

Bill No. Z-75-12-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. AA-8

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Do Not PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

CONCURRED IN

DATE 3-9-76 CHARLES W. WESTERMAN, CITY CLERK

FORM PRESCRIBED BY STATE BOARD OF ACCOUNTS

19__

QUIETUS

REVISED CITY FORM NO. 204

GENERAL FUND

OFFICE OF CITY CONTROLLER

FT. WAYNE, IND., November 24 1975

NO. 9569

$ 50.00
(Linlc)

I HEREBY CERTIFY THAT:

Board of K Zoning Appeals - City Plan

HAS FILED IN MY OFFICE THE RECEIPT OF THE CITY TREASURER OF FT. WAYNE, INDIANA

IN THE SUM OF Fifty & 00/100--- 100 DOLLARS

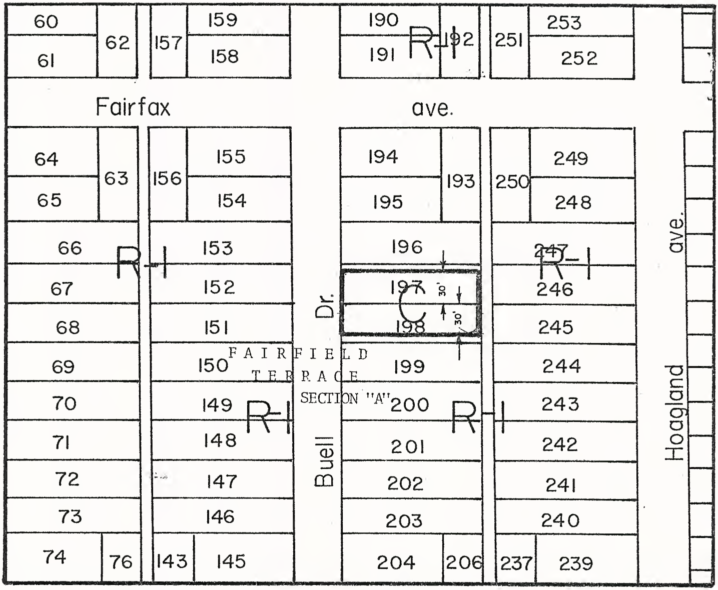
ON ACCOUNT OF For Rezoning - received form Fern Strole

Ck. #1192 dated 11/17/75

Edward G. Kaminskas

CITY CONTROLLER

CITY CONTROLLER



"C" **Change** from R-1 to B-1-B

11-25-75
AA-10
L.S.

Z-75-12-13

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. ______

TO: COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

Date Filed ______

Intended Use Boutique SHOP

I/We Fern E. Strole
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-1 district to a/an B1B district the property described as follows:

The South 30 feet of Lot #197 and the north 30 ft. of Lot 198 in Fairfield Terrace, Section "A" as recorded in Plat Book #11, pages 54-55 in the Office of the Recorder of Allen County, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Fern E. Strole	5219 Buell Dr	
Mary E. (Strole) Sheinfield	Marmet Christian	
Richard A. Strole		

Legal Description Checked By: ______
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
FERN E. STROLE	5219 BUELL DR	446-8443

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

Council RECEIVED – FEB. 9, 1976

We, the following residents are against Bill No Z-75-12-13 which is an amendment to re-zone real estate from "R1" district, one family residential, to a "B1B" district – limited business.

1) Ruth Adams 5308 Hoagland Ft. Wayne Ind 46807
2 Floyd Adams 5308 Hoagland Ft. Wayne Ind. 46807
3 Juanita F Murrell 5325 Buell Drive
4 Mrs. Steven E. Dekker 5319 Buell Drive, Ft. Wayne, Ind.
5 Mrs H. R. Collier 5301 Buell Dr. Ft Wayne Ind.
6 Mabel Umber 5204 Buell Dr Ft Wayne Ind
7 Linda Coleman 5214 Buell Dr Ft Wayne Ind
8 Methodi T. Guleff 5304 Buell Dr Ft Wayne, Ind.
9 Beverly A. Gouloff 5304 Buell Dr. Ft. Wayne Ind 46807
10 Olga P Gouloff 5304 Buell Dr. Ft. Wayne, Ind 46807
11 Sharon Strauss 5309 Buell Dr Ft Wayne Ind 46807
12 William Strauss 5309 Buell Dr. Ft. Wayne Ind 46807
13 H. L. Hadley 5310 Buell Dr Ft Wayne Ind 46807
14 Wayne Watkins 5228 Hoagland " " "
15 Ruth Watkins " " " " "
16 Leo M Arend 416 W. Fairfax ave
17 Robert E. McGee 5320 Buell Dr. Ft. Wayne, Ind 46807
18 Ross Cassady 5325 Fairfield Ft Wayne Ind
19 Kathryn Cassady 5325 Fairfield Ft Wayne Ind.
20 Neal B. Murrell 5325 Buell Dr. Ft. Wayne, Ind.
21 Paul Zollinger 5314 Buell Dr Ft Wayne Ind
22 Nancy Zollinger 5314 Buell Dr. Ft Wayne Ind. 46807
23 Joan C. Owens 416 W. Belmont Ft Wayne Ind 46807
24 George L Zollinger 402 W. Belmont St, Fort Wayne, Ind 46807
25 Nancy J Zollinger 402 W. Belmont St, Ft Wayne, IN 46807
26 Wendy J. Hanyard 5228 Hoagland Ave. Ft. Wayne Ind 46807
27 Thomas A Panyard 5228 Hoagland Ave Ft. Wayne Ind 46807
28 Mark E Simmons 401 W Fairfax ave. Ft. Wayne, Ind, 46807
29 Nina R. Simmons 401 W. Fairfax Ave. Ft. Wayne Ind. 46807
30 Grace Double 413 W. Fairfax Ft Wayne Ind 46807
31 Peter L. Martin 415 W. Fairfax Ft. Wayne Ind 46807
32 Irmengard A. Bolyard 5117 Buell Dr. 46807

We, the following residents are against Bill No. Z-75-12-13 which is an amendment to re-zone real estate from "R1" district, one family residential, to a "B1B" district limited business.

1) Mrs. Opal Filler (Natalie) 444 W. Lenox Ave Ft Wayne In.
2) Arnold Backofen 442 W. Lenox Ave Ft Wayne, Ind.
3) Mrs. Ann Backofen 442 W Lenox Ave Ft Wayne, Ind.
4) Mrs. Alice Nusbaum 4910 Buell FT. WAYNE
5) Mrs Jim Grant 4843 Buell FT. WAYNE
6) Mr. James Grant 4843 Buell FT. WAYNE
7) Mr Perry J O'Neill 4839 Buell Ft. Wayne
8) Mrs Perry J. O'Neill 4839 Buell Ft. Wayne
9) Mr Ralph B. Carrier 4835 Buell Ft. Wayne, Ind
10) Mrs. Ralph Carrier 4835 Buell Ft. Wayne Ind.
11) Mr. Robert E. Kraf 437 W. Pettit Ft. Wayne
12) Mrs. Eugene Egts 445 W. Pettit Ft. Wayne
13) Mr Eugene Egts 445 W Pettit Ft Wayne
14) Mr. Fahd M. Shaheen 449 W. Pettit, Fort Wayne
15) Mrs. Nancy. Shaheen 449 W. Pettit. Fort Wayne.
16) Mrs. H.F. Goldman (Rosemary) 4845 Fairfield, Fort Wayne, IN.
17) Mr. H.F. Goldman (Frank) 4845 Fairfield, Fort Wayne, In.
18) Mrs. ~~Thelma Miller 4843 Fairfield Ft Wayne~~
19) Mrs Opal B. Filler Jr. 444 W. Lenox Ave. Ft Wayne
20) Mr. Arthur Fackler 450 W. Lenox Ft. Wayne Ind.
21) Mrs. Arthur Fackler 450 W. Lenox Ft. Wayne Ind.
22) Mrs John Phenicie 447 W Lenox Ft. Wayne Ind.
23) John D Phenicie 447 W. Lenox Ft Wayne
24) Mr. C.B Pranger 456 Lenox Ave Ft Wayne. Ind
25) Mrs C.B Pranger 456 Lenox ave " "
26) Mrs. Ralph Stutzwalter 446 W Lenox ave " "
27) Mr. Ralph E Stalnaker 446 W. Lenox " "
28)
29)
30)
31)
32)

33.	B. Lee	448 Lind	
34.	Arthur J. Cislo	5125 Fairfield	
35.	Carol D. Cislo	5125 Fairfield	
36.	Mary Lou Hartzler	5201 Fairfield	Ft. Wayne Ind.
37	Loretta Fecher	5215 Fairfield St.	
38	Magdalen Fecher	5215 Fairfield St.	Ft Wayne Ind
39	Leo Fecher	5215 Fairfield	Ft. Wayne
40	Marcella Fecher	5215 Fairfield	Ft Wayne
41	Vivian Chasey	5225 Fairfield	Ft. Wayne Ind.
42	Milo Chasey	5225 Fairfield	Ft. Wayne Ind.
43	Judson Chasey	5225 FAIRFIELD	FORT WAYNE, IND.
44	Alice J. Garrison	5311 Fairfield	Ft. Wayne, Ind
45	Harold F. Noddlom	5319 Fairfield Ave	Ft. Wayne, Ind
46	Marjorie M. Cipriano	5224 Hoagland Ave.	Fort Wayne Ind.
47	Dubert D Bennett	410 5116 Hoagland 402 West Fairfax ave	Ft Wayne Ind
48	Virgil Enochs	5129 Hoagland ave	Fort Wayne Ind
49	F. M. Schmitker	5108 Hoagland	" " "
50	Esther R. Hofrichter	5102 Hoagland	Ft Wayne Ind
51	William F. Rapp	5102 Hoagland	" "
52	Helen Byer	5028 Hoagland	" "
53	Beryl Byer	5028 Hoagland	" "
54	Erma B. Miller	5024 Hoagland	" "
55.	Wilson Lambert	5020 Hoagland	" "
56.	Gladys Lambert	" "	
57.	Lula Byer	5112 Hoagland	" "
58.	Veryl Byer	5112 Hoagland	" "
59.	Richard R Reed	5315 Buell Drive	
60.	Sally Reed	5315 Buell Drive	"
61.	Virginia Sphar	5404 Buell Dr	"
62.	Phyllis Sphar	5404 Buell Dr.	"
63.	Mrs. M. Kleppinger	5414 Buell Dr.	"
64.	Mark Kleppinger	5414 Buell Dr.	"
65.	Paul E Watson	5420 Buell Dr	"
66.	Doris Watson	5420 Buell Dr.	
67.	Stephanie J. Sipe	5305 Fairfield	Ft. Wayne
68.	Bob Gibbs	4930 Buell Dr	" "

69. Betty Groves - 4930 Buell Dr. Ft Wayne, 46807
70. John Vandeman 5224 Haagland
71. Gloria S. Butts 5504 Buell Dr
72. Richard S. Butts 5504 Buell Dr.
73. Elsie Heckman 5516 Buell Dr.
74. Carl W. Heckman 5516 Buell Dr.
75. Irene M. Winkler 5602 Buell Dr.
76. Charles T. Winkler 5602 Buell Dr.
77. Catherine Floody 5602 Buell Dr.
78. Norma Walters 5606 Buell Dr
79. Zora W. Matson 5522 Buell Dr.
80. Mary Roehm 5710 Buell Dr
81. Catherine Borroughs 5701 Fairfield
82. Mildred Bussard 5707 Fairfield
83 Robert N Bussard 5707 Fairfield
84 Grace Bathurst 401 Lenox
85 Wm. D. Bathurst 401 Lenox Ave.
86 Keith Baughman 5621 Fairfield
87. Sue Baughman 5621 Fairfield
88. Lillian Kriidays 5609 S Fairfield
89. Florence Alexander 5525 Fairfield
90. Ray Alexander 5525 Fairfield.
91. Gloria A. Krell 5509 Fairfield
92 Ronald E Koenig 5505 Fairfield
93. Jackie G. Koenig 5505 Fairfield

Number assigned by Dave Keller's Office: # 4011

Admn. Appr. ✓

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance Z-75-12-13

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property:

The south 30 feet of Lot # 197 and the north 30 feet of Lot # 198 in Fairfield Terrace, Section "A" commonly known as 5219 Buell Drive.

From "R1" to "B1B"

EFFECT OF PASSAGE Property is presently zoned "R1" - One Family Residential. Petitioners are requesting a "B1B" classification - Limited Business.

EFFECT OF NON-PASSAGE Property would remain an "R1" Zoning

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulations